

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Oct 23, 2024**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

DANIEL F. SHIRLEY,

Plaintiff,

v.

BMW OF SPOKANE, a foreign limited  
liability company,

Defendant.

No. 2:23-CV-00349-MKD

ORDER OF DISMISSAL

**ECF No. 31**

Before the Court is a Stipulation of Dismissal with Prejudice, ECF No. 31.

Plaintiff and Defendant BMW of Spokane stipulate to the dismissal of this action,  
with prejudice and without an award of attorneys' fees or costs to any party.

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), a plaintiff may dismiss an action  
without court order by filing a stipulation of dismissal signed by all parties who  
have appeared. The stipulation is signed by all parties who have appeared and who  
have not already been dismissed from this case.

Accordingly, **IT IS HEREBY ORDERED:**

1           1.     The Stipulation of Dismissal with Prejudice, **ECF No. 31**, is  
2 **GRANTED.**

3           2.     Pursuant to Rule 41(a)(1)(A)(ii) and the parties' stipulation, all  
4 remaining claims are **DISMISSED with prejudice**, without an award of fees or  
5 costs.

6           3.     All pending motions, if any, are **DENIED as moot.**

7           4.     All pending dates and deadlines are **STRICKEN.**

8           **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
9 Order, provide copies to the counsel, and **CLOSE the file.**

10                   DATED October 23, 2024.

11                                 s/Mary K. Dimke  
12                                 MARY K. DIMKE  
13                                 UNITED STATES DISTRICT JUDGE  
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